

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE DEPARTMENT OF THE TREASURY OF
THE STATE OF NEW JERSEY AND ITS
DIVISION OF INVESTMENT, on behalf of
itself and all others similarly situated,

Plaintiff,

vs.

CLIFFS NATURAL RESOURCES INC.,
JOSEPH CARRABBA, LAURIE BRLAS,
TERRY PARADIE, and DAVID B. BLAKE,

Defendants.

Civ. A. No. 14-CV-1031-DAP

Hon. Dan Aaron Polster, U.S.D.J.

**LEAD PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO FILE
MEMORANDUM IN OPPOSITION TO DEFENDANTS’ MOTION TO DISMISS THE
SECOND AMENDED CLASS ACTION COMPLAINT
IN EXCESS OF PAGE LIMITATIONS**

Pursuant to Local Civil Rule 7.1 of the United States District Court for the Northern District of Ohio, Lead Plaintiff the Department of Treasury of the State of New Jersey and Its Division of Investment (“Lead Plaintiff”), by and through its undersigned counsel, hereby moves unopposed for an Order granting Lead Plaintiff leave to file a thirty (30) page Memorandum of Law in Opposition to the Motion to Dismiss the Second Amended Complaint (the “Motion to Dismiss”) (ECF No. 66) brought by Defendants Cliffs Natural Resources, Inc., Joseph Carrabba, Laurie Brlas, Terrance Paradie, and David B. Blake (collectively, “Defendants”). Lead Plaintiff’s request seeks ten pages in excess of the 20-page limit set forth in Local Civil Rule 7.1(f) for memoranda relating to dispositive motions in unassigned cases.

On April 7, 2015, Defendants filed a Motion for Enlargement of Time to Respond to the Second Amended Class Action Complaint and for Leave to Exceed Page Limitation (ECF No. 57) which, *inter alia*, requested a ten-page enlargement of the page limit associated with

Defendants' memorandum in support of its anticipated Motion to Dismiss from twenty (20) to thirty (30) pages. On April 8, 2015, the Court granted Defendants' request for the additional ten pages for their anticipated memorandum in support of the Motion to Dismiss. Lead Plaintiff requests a corresponding extension of the page limitation set forth in Local Rule 7.1(f) to reply to the legal and factual arguments contained in Defendants' Motion to Dismiss and memorandum in support.

Lead Plaintiff requires these ten additional pages to address effectively and thoroughly the factual and legal points raised in Defendants' Motion to Dismiss. Moreover, although this case has not been assigned a case management track to date, Lead Plaintiff and Defendants have recommended in the Report of the Parties Planning Meeting under Fed. R. Civ. P. 26(f) and Loc. R. 16.3(b) that this matter be assigned to the Complex track which would allow the filing of a thirty (30) page memorandum in opposition to any dispositive motions. (ECF No. 64) Accordingly, Lead Plaintiff respectfully submits that good cause exists for granting Lead Plaintiff the requested ten-page enlargement.

Defendants have informed Lead Plaintiff that they consent to this request for ten additional pages in its brief to be filed in opposition to the Motion to Dismiss.

WHEREFORE, Lead Plaintiff respectfully requests that the Court grant Lead Plaintiff a ten-page extension of the page limitation for its brief in opposition to the Motion to Dismiss, such that said opposition brief may be up to 30 pages in length.

Respectfully submitted,

DATED: June 5, 2015

/s/ Scott D. Simpkins

John R. Climaco (0011456)

Scott D. Simpkins (0066775)

CLIMACO WILCOX PECA

TARANTINO & GAROFOLI CO., LPA

55 Public Square, Suite 1950

Cleveland, Ohio 44113

Telephone: (216) 621-8484

Facsimile: (216) 771-1632

jrclim@climacolaw.com

sdsimp@climacolaw.com

*Local Counsel for Lead Plaintiff, the
Department of the Treasury of the State of
New Jersey and its Division of Investment*

Michael B. Himmel

Michael T.G. Long

Jamie R. Gottlieb

Joseph A. Fischetti

Brandon M. Fierro

LOWENSTEIN SANDLER LLP

65 Livingston Avenue

Roseland, New Jersey 07068

Telephone: (973) 597-2500

Facsimile: (973) 597-2400

mhimmel@lowenstein.com

mlong@lowenstein.com

kgottlieb@lowenstein.com

jfischetti@lowenstein.com

bfierro@lowenstein.com

Gerald A. Silk

James A. Harrod

Rebecca E. Boon

Catherine McCaw

BERNSTEIN LITOWITZ BERGER

& GROSSMANN LLP

1285 Avenue of the Americas

New York, New York 10019

Telephone: (212) 554-1400

Facsimile: (212) 554-1444

jerry@blbglaw.com

jim.harrod@blbglaw.com

rebecca.boon@blbglaw.com

catherine.mccaw@blbglaw.com

*Counsel for Lead Plaintiff, the Department
of the Treasury of the State of New Jersey
and its Division of Investment and Lead
Counsel for the Class*

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically this 5th day of June 2015. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: June 5, 2015

/s/ Scott D. Simpkins

John R. Climaco (0011456)

Scott D. Simpkins (0066775)

**CLIMACO WILCOX PECA TARANTINO
& GAROFOLI CO., LPA**

55 Public Square, Suite 1950

Cleveland, Ohio 44113

Telephone: (216) 621-8484

Facsimile: (216) 771-1632

jrclim@climacolaw.com

sdsimp@climacolaw.com

Local Counsel for Lead Plaintiff